.....

(Original Signature of Member)

117TH CONGRESS
1ST SESSION

H. R. _____

To amend the Federal Food, Drug, and Cosmetic Act to treat as misbranded cosmetics with packaging or labeling using the term "natural" unless the cosmetic meets certain standards, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. SEAN PATRICK MALONEY of New York introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Federal Food, Drug, and Cosmetic Act to treat as misbranded cosmetics with packaging or labeling using the term "natural" unless the cosmetic meets certain standards, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Natural Cosmetics Act".

SEC. 2. COSMETICS WITH CERTAIN TERMS MISBRANDED.

(a) IN GENERAL.—Section 602 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 362) is amended by adding at the end the following:

"(g) If its packaging or labeling bears the term 'natural' or 'naturally derived ingredient' unless it meets the definitions specified in regulations issued by the Secretary pursuant to section 2(b) of the Natural Cosmetics Act.".

(b) RULE.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary of Health and Human Services, acting through the Commissioner of Food and Drugs, shall issue a final rule relating to use of the terms "natural" and "naturally derived ingredient", with respect to cosmetics (including personal care products).

(2) CONTENTS.—

(A) DEFINITION.—In developing the definitions of the terms "natural" and "naturally derived ingredient", with respect to cosmetics pursuant to paragraph (1), the Secretary of Health and Human Services, acting through the Commissioner of Food and Drugs, shall—

(i) consider how each ingredient in a cosmetic is processed;

(ii) consider the presence of any impurity that would have an adverse impact on human health; and

(iii) base such definitions on relevant scientific data, including data on consumers' understanding of the terms as used in connection with cosmetics.

(B) USE OF TERMS.—The rule issued under paragraph (1) shall include provisions to specifically address the use of terms "natural" and "naturally derived ingredient"on the labeling and in marketing of the cosmetic.

(3) PROCESS.—Before issuing the final rule under paragraph (1), Secretary of Health and Human Services, acting through the Commissioner of Food and Drugs, shall—

(A) conduct consumer surveys and studies with respect to consumer understanding of the terms "natural" and "naturally derived ingredient"on the labeling and in marketing of cosmetics;

(B) issue a timely call for public submissions regarding relevant consumer research on that understanding; and

(C) hold public meetings, including with industry stakeholders, consumer advocacy stakeholders, and scientific experts, to fully consider the results of such surveys and studies, as well as such public submissions.

(c) APPLICABILITY.—Section 602(g) of the Federal Food, Drug, and Cosmetic Act, as added by subsection (a), applies beginning on the effective date of the rule issued under subsection (b).